



RECEIVED

MAR 06 2003

TECH CENTER 1600/2000

Customer No. 22,852

3/14/03  
PATENT

Attorney Docket No. 05725.0963

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Pascale BERNARD et al. )  
Application No.: 09/965,792 ) Group Art Unit: 1617  
Filed: October 1, 2001 ) Examiner: M. A. Willis  
For: FILM-FORMING COSMETIC )  
COMPOSITION )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 CFR. §§ 1.97(c) and (e)(1), the undersigned states that each document submitted herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicants submit the following remarks:

1. **JP Publication No. 11-209244** - An English language abstract of this foreign language document is also submitted and can be found attached to the front of this document.
2. **JP Patent No. 7069834** - An English language abstract of this foreign language document is also submitted and can be found attached to the front of this document.
3. **EP 1040814** - This document is believed to be a foreign counterpart to U.S. Patent No. 6,372,201 B1, which is attached herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 3, 2003

By: 

Thalia V. Warnement  
Reg. No. 39,064

**FINNEGAN**  
**HENDERSON**  
**FARABOW**  
**GARRETT &**  
**DUNNER LLP**

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)